

NEW BUSINESS CONTINUED:

CANNABIS LICENING AND PROCEDURES CONTINUED: We can say that if the State approves it we will approve it. But, there still has to be a process by how we do it. I am open to suggestions as to how you want to do this.

Councilwoman Montes asked if we can ask other towns? The Attorney said that we are unique situation. The other towns have enough people to fill these requirements of a committee for this particular thing. Randolph and Dover and other surrounding towns did not allow cannabis.

The Mayor asked if we have to do something with the Federal Government for this? No. Taxes go to the State. The Federal government is against this. Federal law says it is a dangerous drug.

The Clerk asked how we know how much business they are doing and how do we follow the money that is coming in to the operation. They report to the State and we can have them to report to us also.

Councilman Lorenzo said that if they are paying in cash it is hard to track that. Yes, it is. We will never fully know how much they are making and what is being paid. The Attorney said they do it by how much cannabis is bought. They look at your inventory and tax you on that.

The Clerk said that when all this was coming around, it went before our planning board and the planning board said no, they didn't want it in the town. It came before Council and Council approved it.

The Attorney said the planning board makes recommendations to the Council but they can't approve it. In our town you have to come before the planning board for any type of business. This is to let them know who you are, hours of operations, employees, what the business does, etc. What do we do, because there is someone that wants to go into the mini mall across the street, what happens if they come in to the planning board and they deny them?

The Attorney said that is a good question and he doesn't have the answer for it. I don't know if it would be a planning board recommendation or if it would be an actual action taken by that board. The Attorney said the Planning Board has the power to structure what the company needs to do. They can say it can't be within so many feet of a school, playground, town hall, they can say the hours of operation, not enough parking spaces, etc.

The Clerk said if they go into the mini mall across the street and the planning board says no because of the proximity to other stores, ventilation problems, etc. what happens? If it is something like that, the Attorney said the planning board can deny it.

The Attorney said the planning board needs to structure the ordinance and then give it to us so we can add to it if we so choose. They also have to apply to the State. The Clerk said they did apply to the State and they were given the okay but they only have a certain amount of time to secure a location otherwise they use their license.

The Clerk told the members of the planning board they will have to discuss this at their meeting next week to get the ball rolling and figure out what they want to do.

Councilman Lorenzo said that they want to go where other businesses are. There is a restaurant there and you have to understand the impact it may have on these other businesses.

We will see what we can find the Clerk said and forward what we find to the attorney for review.

OLD BUSINESS:

TRANSFER RESOLUTION - We aren't doing this tonight. I am waiting on Joe to give an explanation as to why we were doing the transfers. Until I get something from him, we aren't doing it.

TREE ESTIMATES - We already approved the trees being cut down. I couldn't tell the company they won the award because I was waiting on Joe to make sure we had money in the line item to get them taken down. He got back to me and told me to hold off. So, we can do them now because we are in a new year. I called the contractor and told them they can start. They said, weather permitting, they should be in by January 20.

BOARD OF HEALTH REORGANIZATION - The Board of Health meeting is scheduled for January 17, 2023. Everyone needs to be here for that meeting.

Motion to open the meeting to the public by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

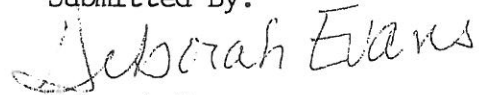
Jim Janone - A question on voucher # 1/19/22 - why is it 22 instead of 23? just a typo. Voucher # 16. when is the increase taking effect? We haven't been told that anything is increasing. In regards for the fire watch hours - how did they calculate that portion out? I don't know - they did it. They called and asked Letti how much per hour the person that did the fire watch made and she told them. They calculated based on the number of days the panel was out. How long was this out for? Almost a month. Several hours during the weekend. You just can't come once. With the cannabis, the funds you get for that, where would it go, the money they pay the town. I think it would be the regular operating budget unless there has to be a dedicated fund. If someone comes in with approvals from the State, and they apply with us, how can planning board say no to them. There is nothing in the land use. They have to give specific reasons as to why they would deny. It was just a discussion that the planning board had at a meeting and they said they didn't want it in town but then Council did an ordinance saying it was okay. If planning board denies something I think they can apply to the Council. The Attorney said that is what has to be put in an ordinance.

Motion to close the meeting to the public by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

The Mayor asked for a motion to go into closed session for discussion on the Dover Board of Education. Motion made by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

Motion to adjourn the meeting by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

Submitted By:



Deborah Evans
Borough Clerk

January 10, 2023

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on January 10, 2023.

Mayor Holeman called the meeting to order and declared a quorum present.

Pledge of Allegiance to the Flag of Our Country.
Please remain standing for a moment of silence for our military.

This meeting has been advertised in one newspaper, The Daily Record, in compliance with the New Jersey Open Public Meetings Act.

ATTENDANCE: Councilwoman Cheatham, Councilman Glass, Councilwoman Hedgepath, Councilman Lorenzo and Councilwoman Garcia Montes.

ABSENT: Councilman Hale

** Attorney Feintuch was also present at this meeting.

Motion to accept the minutes of 12/20/22 as received by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. Councilman Lorenzo abstained as he was not here for the meeting.

Motion to accept the minutes of January 3, 2023 as received by Councilman Glass, seconded by Councilwoman Hedgepath and approved on verbal vote. Councilman Lorenzo and Councilwoman Montes abstained as they were not present for the meeting.

CORRESPONDENCE:

NJDOT - We received a letter that the Borough will receive funding for 2023 for Washington Avenue Improvements. The grant amount is \$175,000.00 .

JCP&L - They are in here cutting branches. They use several tree companies. They should be done, weather permitting, by February.

ROCKAWAY TOWNSHIP - I was speaking with Peter from the Board of Health. He told me they would like to do a vision screening for Victory Gardens residents. It would cost \$300. I told him I had to bring it before Council and we have to wait until our budget meetings to make sure the money is there.

Motion to accept the correspondence as received by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

VOUCHERS:

The Mayor asked if there were any questions on the vouchers?
Councilwoman Montes asked about voucher 1-03. It says insurance for Deborah Evans in the amount of \$2,9904.00 . There are no attachments. What is this for? The Clerk said when we had the issue with our alarm panel being out, State law says we have to have a fire watch to make sure nothing happens to the building while our panel is out. I mentioned it at a meeting and no one volunteered to come in. So, since no one was doing it, I did it. I did not know they were going to pay me. They called and spoke to Letti and they asked who did the fire watch. She said I did. They asked how much I get paid and hour. She told them and then that was all we heard. They called her back a few weeks later and said they would pay for the person that did the fire watch. They calculated and this is the amount they came up with.

Councilwoman Montes asked if they are paying you why is on our voucher listing. They paid the town and the town has to reimburse me. This money comes out of the check that they paid. Councilwoman Montes said the Clerk is a salaried person. Yes, but this was not Clerk duties. This was after hours and on weekends. I think they calculated 2 hours per day for everyday the panel wasn't working.

Mayor Holeman asked if there were any more questions on the vouchers? Hearing none he asked for a motion to pay the bills.

Motion to approve the vouchers for payment by Councilwoman Montes, seconded by Councilman Glass and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

VOUCHER REPORTS

Date of Council Meeting:
January 10, 2022

Voucher #	Payable to:	Type of Service	Amount	Check #
01-01-2023	Advanced Auto Parts	Bldgs And Grounds	\$ 296.47	
01-02-2023	ATT	Utilities	\$ 39.10	
01-03-2023	Deborah Evans	Insurance	\$ 2,904.00	
01-04-2023	Dover BOE	School Taxes	\$ 96,200.00	
01-05-2023	Dover Shared Court	Shared service court	\$ 1,655.83	
01-06-2023	Feintuch Porwich	Legal Services OE	\$ 2,204.22	
01-07-2023	Gannett NJ	Clerk OE	\$ 10.14	
01-08-2023	General Code	Clerk OE	\$ 219.00	
01-09-2023	Home depot Credit services	Bldgs And Grounds	\$ 1,042.42	
01-10-2023	Home depot Credit services	Bldgs And Grounds	\$ 232.98	
01-11-2023	JCPL	Utilities	\$ 672.11	
01-12-2023	Kendyll Hedgpath	Recreation	\$ 55.42	
01-13-2023	New Jersey Conference of Mayors	Mayor OE	\$ 295.00	
01-14-2023	New Jersey Registrar Association	Clerk OE	\$ 25.00	
01-15-2023	NJNG Fire House	Fire OE	\$ 297.00	
01-16-2023	Protective Measures	Fire OE	\$ 12.66	
01-17-2023	Protective Sysytems Services	Fire OE	\$ 300.00	
01-18-2023	Sheaffer Supply Inc	Clerk Oe	\$ 44.90	
01-19-2022	Town Of Dover	Fire Dept Adm Exec	\$ 16,500.00	
01-20-2023	Treasurer state of NJ	Clerk OE	\$ 120.74	
01-21-2023	Verizon Borough Hall	Utilities	\$ 152.19	
01-22-2023	Vsion service plan	Group Insurance	\$ 98.70	
01-23-2023	Hector Lorenzo	Streets and Roads	\$ 2,331.20	
01-24-2023	Leticia Diaz	Clerk SW	\$ 1,380.00	
01-25-2022	Manny Venero	Streets and Roads	\$ 2,400.00	
		TOTAL	\$ 123,126.99	

NEW BUSINESS:

COLA ORDINANCE - CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

Motion to introduce the COLA ordinance by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

CANNABIS LICENSING AND PROCEDURES - Attorney Feintuch is taking over this part of the meeting.

We have an ordinance that allows for a cannabis operation. We don't have any structure as to how to go about approving somebody. So we have to have a committee, it could be the governing body, or we could have a sub committee of just a few of the governing body. That body would have to interview the person wanting to open the retail store and review the application. You, as the governing body would have to vote on if you will allow them to be in here. The planning board also has to approve it.